

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Box PATENT APPLICATION
Assistant Commissioner For Patents
Washington, D.C. 20231

Prior Application: Art Unit: 3764
Examiner: M. Brown

SIR: This is a request for filing a

☒ Continuation ☐ Continuation-in-Part ☐ Divisional Application under 37 C.F.R. § 1.53(b) of pending prior application Serial No. 08/480,908, filed June 7, 1995, of Gary K. Michelson for THREADED FRUSTO-CONICAL INTERBODY SPINAL FUSION IMPLANTS

1. ☒ Enclosed is a complete copy of the prior application including the oath or Declaration and drawings, if any, as originally filed. I hereby verify that the attached papers are a true copy of prior application Serial No. 08/480,908 as originally filed on June 7, 1995.
2. ☐ Enclosed is a substitute specification under 37 C.F.R. § 1.125.
3. ☒ Cancel Claims 2-98.
4. ☒ An Amendment is enclosed.
5. ☒ The filing fee is calculated on the basis of the claims existing in the prior application as amended at 3 and 4 above.

Basic Application Filing Fee					\$740	\$ 740.00
	Number of Claims		Basic	Extra Claims		
Total Claims	70	-	20	50	x \$18	900.00
Independent Claims	3	-	3	0	x \$84	0
[] Presentation of Multiple Dep. Claim(s)					+\$280	0
Subtotal						\$ 1,640.00
Reduction by 1/2 if small entity						- 0
TOTAL APPLICATION FILING FEE						\$ 1,640.00

6. ☒ A fee in the amount of \$1,640.00 to cover the filing fee is to be charged to Deposit Account No. 50-1066.
7. ☒ The Commissioner is hereby authorized to charge any fees which may be required including fees due under 37 C.F.R. § 1.16 and any other fees due under 37 C.F.R. § 1.17, or credit any overpayment during the pendency of this application to Deposit Account No. 50-1066.
8. ☒ Amend the specification by inserting before the first line, the sentence:
 --This is a ☒ continuation ☐ division of application Serial No. 08/480,908, filed June 7, 1995, of which is incorporated herein by reference.--.
9. ☒ New formal drawings are enclosed.
10. ☐ The prior application is assigned of record to: _____.
11. ☐ Priority of application Serial No. _____, filed on _____ in _____ (country) is claimed under 35 U.S.C. § 119. A certified copy
☐ is enclosed or ☐ is on file in the prior application.
12. ☐ A verified statement claiming small entity status
☐ is enclosed or ☐ is on file in the prior application.
13. ☒ The power of attorney in the prior application is to at least one of the following: MARTIN & FERRARO, LLP; Thomas H. Martin, Reg. No. 34,383; Amedeo F. Ferraro, Reg. No. 37,129; and Todd M. Martin, Reg. No. 42,844.
14. ☐ The power appears in the original declaration of the prior application.
15. ☒ Since the power does not appear in the original declaration, a copy of the power in the prior application is enclosed.
16. ☒ Please address all correspondence to
 Customer No. 22882
 MARTIN & FERRARO, LLP
 14500 Avion Parkway, Suite 300
 Chantilly, Virginia 20151-1101.
17. ☐ Recognize as associate attorney _____
 (name, address & Reg. No.)



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18. ☒ Also enclosed is a copy of the Transmittal Form requesting a three-month extension of time as filed in the prior application on January 15, 2002.

PETITION FOR EXTENSION. If any extension of time is necessary for the filing of this application, including any extension in the parent application, Serial No. 08/480,908, filed June 7, 1995, for the purpose of maintaining copendency between the parent application and this application, and such extension has not otherwise been requested, such an extension is hereby requested, and the Commissioner is authorized to charge necessary fees for such an extension to our Deposit Account No. 50-1066. A duplicate copy of this paper is enclosed for use in charging the deposit account.

Respectfully submitted,

MARTIN & FERRARO, LLP

Dated: January 16, 2002

By: 

Amedeo F. Ferraro

Registration No. 37,129

14500 Avion Parkway, Suite 300
Chantilly, VA 20151-1101
Telephone: (703) 679-9300
Facsimile: (703) 679-9303

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Attorney Docket No. 101.0053-01000

Customer No. 22882

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Gary K. Michelson

Serial No.: (Cont. of 08/480,908)

(Group Art Unit: 3764)

Filed: January 16, 2002

(Examiner: M. Brown)

For: THREADED FRUSTO-CONICAL
INTERBODY SPINAL FUSION
IMPLANTS

Box PATENT APPLICATION
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

CERTIFICATE OF MAILING VIA U.S. EXPRESS MAIL

Express Mail Mailing Label No. ET747368619US

Date of Deposit: January 16, 2002

I hereby certify that:

1. Rule 1.53(b) Continuation Application Transmittal Form (in duplicate; \$1,640 filing fee charged to Deposit Account No. 50-1066)
2. Copy of prior application as filed including Declaration and drawings
3. Amendment
4. 4 sheets of formal drawings (8.5 x 11 paper; Figs. 1-8)
5. Copy of Revocation of Original Power of Attorney and Grant of New Power of Attorney as filed in prior application
6. Copy of Transmittal Form requesting a three-month extension of time as filed in the prior application on January 15, 2002
7. Self-addressed return postcard receipt

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service with sufficient postage under 37 C.F.R. § 1.10 on the date indicated above and are addressed to:

Box PATENT APPLICATION
U.S. Patent and Trademark Office
P.O. Box 2327
Arlington, Virginia 22202

Date: January 16, 2002



Sandra L. Blackmon

14500 Avion Parkway, Suite 300
Chantilly, VA 20151-1101
Telephone: 703-679-9300
Facsimile: 703-679-9303

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